

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
**D'Errico et al.**

Serial No.: **10/598,701**

Filed: **September 8, 2006**

For: **Optical Modulation Converter and Method  
for Converting the Modulation Format of an  
Optical Signal**

PATENT PENDING

Examiner: TBD

Group Art Unit: TBD

Confirmation No.: 9122

Docket No: **4015-5835**

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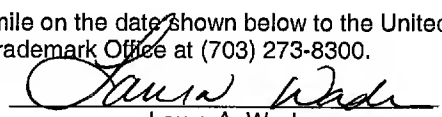
**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

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July 19, 2007

Date

  
Laura A. Wade

This correspondence is being:

- ☒ electronically submitted via EFS-Web

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

In response to the Notice of Missing Requirements under 35 U.S.C. 371, please find enclosed the signed Declaration and Power of Attorney for Patent Application. Submitted herewith is payment in the amount of \$250, \$130 to cover the surcharge for the incomplete filing and \$120 for a one month extension of time. If additional fees are required, please deduct from the Coats & Bennett, P.L.L.C. Deposit Account No. 18-1167.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

  
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Dated: July 19, 2007



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/598,701	Antonio D'Errico	5577-021

INTERNATIONAL APPLICATION NO.
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PCT/EP05/51028

I.A. FILING DATE	PRIORITY DATE
03/08/2005	03/08/2004

24112  
COATS & BENNETT, PLLC  
1400 Crescent Green, Suite 300  
Cary, NC 27518

CONFIRMATION NO. 9122

371 FORMALITIES LETTER



\*OC000000023595488\*

Date Mailed: 04/30/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/08/2006
- Copy of the International Search Report filed on 09/08/2006
- Preliminary Amendments filed on 09/08/2006
- Information Disclosure Statements filed on 09/08/2006
- Oath or Declaration filed on 09/08/2006
- U.S. Basic National Fees filed on 09/08/2006
- Priority Documents filed on 09/08/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
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KAREN M WILLIAMS

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**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/598,701	PCT/EP05/51028	5577-021